

IN THE CIRCUIT COURT OF THE 15<sup>th</sup>  
JUDICIAL CIRCUIT IN AND FOR PALM  
BEACH COUNTY, FLORIDA

ADAM RIFF,

Plaintiff,

vs.

MICHAEL MINETT, D.C. AND TOTAL  
HEALTH AND REHAB CENTER, INC.,

Defendants.

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**COMPLAINT FOR DAMAGES AND JURY TRIAL**

COMES NOW, the Plaintiff, ADAM RIFF by and through his undersigned counsel, and hereby sues the Defendants, MICHAEL MINETT, D.C. and TOTAL HEALTH AND REHAB CENTER, INC., and alleges as follows:

**JURISDICTIONAL STATEMENT AND IDENTIFICATION OF THE PARTIES**

1. This is an action for damages in excess of the minimal jurisdiction limits of this Court.
2. Venue is proper in Palm Beach County, Florida, as this is where the events giving rise to this action occurred and where the Defendants conduct their professional practices of chiropractic medicine.
3. Plaintiff, ADAM RIFF, resides in Palm Beach County, Florida.
4. At all times material hereto, Plaintiff, ADAM RIFF, was a patient and received chiropractic care and treatment from the named Defendants at the times set forth below.
5. At all times material hereto, Defendant, MICHAEL MINETT, D.C. was a Doctor of Chiropractic authorized to practice chiropractic medicine in the State of Florida, including Palm Beach County.

6. At all times material hereto, Defendant, TOTAL HEALTH AND REHAB CENTER, INC. was a Florida Profit Corporation doing business in Palm Beach County, Florida.

7. At all times material hereto, Defendant MICHAEL MINETT, D.C., was an employee and/or agent of TOTAL HEALTH AND REHAB CENTER, INC., acting within the course and scope of his employment and/or agency therewith.

8. All conditions precedent to Florida Statute Chapter 766 and Florida Rule of Civil Procedure 1.650, and all other conditions precedent to bringing this action, have been performed.

9. Notice of Intention to Initiate Litigation against the Defendants was given and acknowledged in accordance with the requirements of Fla. Stat. §766.106(2). This action has been properly brought within two years of the date the alleged negligence occurred or within the two years of the date of discovery and not later than four years from when the incident occurred. Any and all conditions precedent to the filing of this lawsuit have been complied with.

**CERTIFICATE OF COUNSEL**

10. Through counsel's signature below, it is hereby certified, pursuant to §§766.104, 766.203, Florida Statutes, that counsel for Plaintiff, prior to filing this action, has made a reasonable investigation as permitted by the circumstances to determine that reasonable grounds exist for a good faith belief that the Defendants were negligent in the care and treatment of Plaintiff, ADAM RIFF, and as such, grounds exist for an action against the named Defendants.

**FACTS GIVING RISE TO ACTION**

11. On September 1, 2023, Plaintiff, ADAM RIFF, presented to Defendant MICHAEL MINETT, D.C. at his office with a chief complaint of acute exacerbation of chronic neck pain radiating to the right upper back and right forearm.

12. Dr. Minett noted that Mr. Riff had been suffering with neck and back pain for over 20 years and that a recent MRI showed moderate to severe DJD/DDD at C3-C6. Dr. Minett further noted that Mr. Riff had injections with no help.

13. On physical exam, Dr. Minett found a positive Jackson's Compression Test on the right, indicating cervical radiculopathy.

14. Prior to performing a chiropractic adjustment of Mr. Riff's cervical spine, Dr. Minett failed to inform Mr. Riff that a dissected vertebral artery was a known risk and complication of the adjustment.

15. Dr. Minett performed a chiropractic adjustment of Mr. Riff's neck, causing pain.

16. Due to new onset of headaches following Dr. Minett's manipulation, Mr. Riff's primary care physician, Dr. Rolando Rodriguez, ordered an MRA of the head, which was performed on September 12, 2023. The study showed an abnormal appearance to the basilar artery extending down to the left vertebral artery by 17 mm and right vertebral artery by 6 mm.

17. Mr. Riff presented to Boca Raton Regional Hospital that evening with complaints of a severe headache and sharp/stabbing pain in his head. He was admitted shortly after midnight on September 13, 2023.

18. During his hospitalization, Mr. Riff underwent several imaging studies of his head and was evaluated by neurology and endovascular neurology. He was discharged on September 14, 2023.

19. On September 15, 2023, Mr. Riff contacted Dr. Minett's office, informing them that, "I won't be coming back due to health issues. Since my adjustment my neck was a lot worse and ended up in the hospital for several days. They were concerned about a complications [sic] from the adjustment."

20. On October 21, 2023, Mr. Riff presented to neurologist Dr. Liza Smirnoff with a chief complaint of headaches. Dr. Smirnoff noted that the MRA of the head performed on September 12,

2023, showed irregularity of the left vertebral artery and that she was concerned for a vertebral artery dissection given Mr. Riff's ongoing symptoms.

21. On November 20, 2023, Mr. Riff was evaluated by neurosurgeon Dr. Robert Starke, who noted the September 12, 2023, MRA showed irregularity of the left vertebral artery and appeared to be present on his personal review of imaging. Like Dr. Smirnoff, Dr. Starke was concerned for a vertebral artery dissection and ordered further imaging studies of the head.

22. On November 27, 2023, Mr. Riff was evaluated by Dr. Michelle Bravo at UHealth's Neurology Headache Clinic. Dr. Bravo noted her review of the September 12, 2023, MRA of the head and that the "irregularity/narrowing of the intracranial segment of the left vertebral artery, and appears to be present on my personal review" of the images.

23. When Mr. Riff next presented to Dr. Starke on December 18, 2023, Dr. Starke noted he had a high suspicion of a prior vertebral dissection on the right side likely due to chiropractic treatment in September. The following day, December 19, 2023, Dr. Smirnoff diagnosed Mr. Riff with a left V4 vertebral dissection and noted that his component of migraine headache developed secondary to the dissection.

24. Due to the dissection caused during Dr. Minnett's September 1, 2023, chiropractic manipulation, Mr. Riff suffered from excruciating headaches, was bedbound, incurred medical and hospital expenses, and now requires lifelong medication treatment and management.

**COUNT I**  
**NEGLIGENCE OF MICHAEL MINETT, D.C.**

The Plaintiff adopts and realleges paragraphs 1 through 24 and further states:

25. Defendant, Dr. Minett, had and undertook the duty to treat Mr. Riff in accordance with that level of care, skill and treatment which in light of all relevant surrounding circumstances, is recognized as acceptable and appropriate by reasonably prudent healthcare providers.

26. Notwithstanding the duty undertaken, Defendant, Dr. Minett, deviated from the acceptable standard of care in the following ways:

- a. Failure to properly examine Mr. Riff;
- b. Failure to properly consider Mr. Riff's medical history;
- c. Failure to properly diagnose Mr. Riff;
- d. Failure to make the appropriate referral for Mr. Riff; and
- e. Negligently performing a chiropractic adjustment on September 1, 2023; and
- f. Other negligence and/or departures from the standard of care that may be learned during discovery.

27. As a direct and proximate result of the negligence of Defendant Dr. Minett, the Plaintiff, ADAM RIFF, was injured about his body, head, and neck, with resulting pain, suffering, disability, inconvenience, mental anguish, loss of capacity for the enjoyment of life, expenses of hospitalization, medical and nursing care, and/or aggravation of a previously existing condition. The losses are either permanent or continuing in nature and the Plaintiff will suffer such losses and impairments in the future.

WHEREFORE, Plaintiff, ADAM RIFF, demands judgment against MICHAEL MINETT, D.C. in an amount in excess of the Court's judicial limits, pre and post judgment interest as allowed by law, costs for bringing this action and demand trial by jury of all issues so triable.

**COUNT II**  
**LACK OF INFORMED CONSENT - MICHAEL MINETT, D.C.**

The Plaintiff adopts and realleges paragraphs 1 through 27 and further states:

28. Defendant, Dr. Minett, had and undertook the duty to treat Mr. Riff in accordance with that level of care, skill and treatment which in light of all relevant surrounding circumstances, is recognized as acceptable and appropriate by reasonably prudent healthcare providers. That duty

included the duty to obtain informed consent from Mr. Riff which in light of all relevant surrounding circumstances, is recognized as acceptable and appropriate by reasonably prudent healthcare providers.

29. At all times pertinent hereto, Mr. Riff had a constitutional “right to bodily integrity,” and the right to make informed decisions about his own medical care. Fla. Const. Art. 1, §23.

30. At all times material hereto, Dr. Minett had a duty to disclose material information to Mr. Riff, upon which he could base his informed consent.

31. Dr. Minett was required to obtain the consent of Mr. Riff “in accordance with an accepted standard of medical practice among members of the medical profession with similar training and experience in the same or similar medical community as that of the person treating, examining, or operating on the patient for whom the consent is obtained.” Fla. Stat. §766.103(3)(a)(1).

32. Additionally, a plaintiff may recover for lack of informed consent if under all the surrounding circumstances, the patient would not reasonably have undergone such treatment or procedure had he or she been advised by the physician in accordance with the requirements of the Medical Consent Law. Fla. Stat. §766.103(3)(b).

33. Dr. Minett had sufficient time, it was feasible, and the circumstances warranted disclosure to Mr. Riff, a reasonable individual, of the risk factors involved in the subject care, treatment, and adjustment, including, but not limited to, a dissected vertebral artery and the sequelae therefrom.

34. Dr. Minett failed to properly obtain informed consent from Mr. Riff by failing to disclose that a chiropractic adjustment of the cervical spine on a patient with the history and clinical presentation of Mr. Riff, can result in the dissection of a vertebral artery and its sequelae.

35. A medical professional with similar training and experience in the same or similar community as Dr. Minett would disclose to the patient, i.e., Mr. Riff, that a chiropractic adjustment

of the cervical spine on a patient with the history and clinical presentation of Mr. Riff, can result in the dissection of a vertebral artery and its sequelae.

36. Had Mr. Riff been informed as set forth above, he would have forgone a cervical spine adjustment with the understanding that such an adjustment carried the risk of a dissected vertebral artery and its sequelae.

37. As a direct and proximate result of Dr. Minett's failure to properly obtain informed consent in violation of Florida's Medical Consent Law, the Plaintiff, ADAM RIFF, was injured about his body, head, and neck, with resulting pain, suffering, disability, inconvenience, mental anguish, loss of capacity for the enjoyment of life, expenses of hospitalization, medical and nursing care, and/or aggravation of a previously existing condition. The losses are either permanent or continuing in nature and the Plaintiff will suffer such losses and impairments in the future.

WHEREFORE, Plaintiff, ADAM RIFF, demands judgment against MICHAEL MINETT, D.C. in an amount in excess of the Court's judicial limits, pre and post judgment interest as allowed by law, costs for bringing this action, reasonable attorney's fees, and demand trial by jury of all issues so triable.

**COUNT III**  
**VICARIOUS LIABILITY OF TOTAL HEALTH AND REHAB CENTER, INC. FOR THE**  
**NEGLIGENCE OF MICHAEL MINETT, D.C.**

The Plaintiff adopts and realleges paragraphs 1 through 37 and further states:

38. At all times material, Dr. Minett was an employee, agent, or apparent agent of Total Health and Rehab Center, Inc.

39. At all times material, Dr. Minett was acting within the course and scope of his employment and/or agency with Total Health and Rehab Center, Inc.

40. Total Health and Rehab Center, Inc., is vicariously liable for any negligence of Dr. Minett in his care and treatment of Plaintiff, Adam Riff.

41. WHEREFORE, Plaintiff, ADAM RIFF, demands judgment against TOTAL HEALTH AND REHAB CENTER, INC., in an amount in excess of the Court's judicial limits, pre and post judgment interest as allowed by law, costs for bringing this action, reasonable attorney's fees, and demand trial by jury of all issues so triable.

**DEMAND FOR JURY TRIAL**

Plaintiff, ADAM RIFF, hereby demands trial by jury on all issues.

Dated this 19<sup>th</sup> day of June 2026.

**WEISSER, CUMMINGS, PODOLNICK &  
CHERNOFF, P.A.**

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